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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,021	01/14/2004	Soovo Sen	AMAT/8758/DSM/BCVD/JW	3282
44257	7590	02/24/2006	EXAMINER	
PATTERSON & SHERIDAN, LLP 3040 POST OAK BOULEVARD, SUITE 1500 HOUSTON, TX 77056			LUND, JEFFRIE ROBERT	
			ART UNIT	PAPER NUMBER
			1763	
DATE MAILED: 02/24/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/757,021

Applicant(s)

SEN ET AL.

Examiner

Jeffrie R. Lund

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/04, 8/05.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

1. The use of the trademark Teflon™ has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 12 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 12 and 15 contain the trademark/trade name Teflon™. Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claims do not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982). The scope of claims 12 and 15 is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name is used to

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identify/describe polytetrafluoroethylene and, accordingly, the identification/description is indefinite.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-5 and 8-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Frijlink, WO 01/46498 A3.

Frijlink teaches a processing apparatus 101 with a process kit that includes: a pumping liner configured to be placed within the processing region of the processing chamber, the pumping liner comprising: a circumferential body 18, wherein the circumferential body has a plurality of pumping holes 12 disposed along the circumferential body, a shoulder circumferentially placed along an upper surface of the pumping liner body, and a lower lip disposed along a radial portion of a lower surface of the pumping liner body; a C-channel liner configured to be placed along an outer diameter of the pumping liner body within the processing region of the processing chamber, the C- channel liner comprising: a circumferential body 17, an upper arm 15, a lower arm 14, a channel portion defined by the upper arm, the lower arm, the body of the C-channel liner, and the body of the pumping liner, an upper lip circumferentially disposed along the upper arm, the upper lip of the C-channel liner configured to interlock with the shoulder of the pumping liner body, and a lower shoulder along a

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radial portion of the lower arm, the lower shoulder of the C-channel liner configured to interlock with the lower lip of the pumping liner and to also provide a pumping port liner opening; and a pumping port liner 29A in communication with the pumping port liner opening of the C-channel liner. (Entire document, specifically, page 5 lines 16-32 and figure 5a)

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frijlink, WO 01/46498 A3, in view of Sajoto et al, US Patent 6,527,865 B1.

Frijlink was discussed above.

Frijlink differs from the present invention in that Frijlink does not teach a middle

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liner or lower liner.

Sajoto et al teaches a processing apparatus that includes a middle liner 28 and a lower liner 21. Sajoto et al also teaches the use of a Teflon™ O-ring seal. (Figure 2, and column 5 lines 41-46)

The motivation for adding the middle and lower liner of Sajoto et al to the apparatus of Frijlink is to protect the lower parts of the processing chamber from deposition of processing gases as taught by Sajoto et al.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to add the middle and lower liners of Sajoto et al to the apparatus of Frijlink.

9. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frijlink and Sajoto et al as applied to claims 1-10 above, and further in view of Sillmon et al, US Patent 6,666,920 B1.

Frijlink and Sajoto et al differ from the present invention in that they do not teach sealing the interface of the C-channel liner and pumping plate.

Sillmon et al teaches sealing the interface of a C-channel liner and a pumping plate. (Entire document)

The motivation for sealing the interface of the C-channel liner and pumping plate of Frijlink and Sajoto et al is to provide a gastight seal as taught by Sillmon et al.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to seal the interface of the C-channel liner and pumping plate of Frijlink and Sajoto et al as taught by Sillmon et al.

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10. Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frijlink, WO 01/46498 A3, in view of Fairbairn et al, US Patent 5,911,834.

Frijlink was discussed above.

Frijlink differs from the present invention in that Frijlink does not teach a pair of processing regions connected by a polished aluminum pressure equalization port liner.

Fairbairn et al teaches a processing apparatus that includes a pair of processing regions 106 connected by a polished aluminum pressure equalization port liner 621.

(Figures 19, and 21)

The motivation for adding a second processing region to the apparatus of Frijlink is to increase the throughput of Frijlink as taught by Fairbairn et al.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to add a second processing region to the apparatus of Frijlink as taught by Fairbairn et al.

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited art teaches the technological background of the invention.

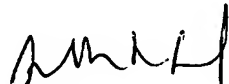
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrie R. Lund whose telephone number is (571) 272-1437. The examiner can normally be reached on Monday-Thursday (6:30 am-6:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Parviz Hassanzadeh can be reached on (571) 272-1435. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jeffrie R. Lund  
Primary Examiner  
Art Unit 1763

JRL  
2/21/06